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John M. Kilcoyne
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April 15, 2003
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Art Unit: 1723

Bhaskar et al

Examiner: K. Menon

APPLICATION NO: 09/661,971

FILED: September 14, 2000

FOR: Centrifuge Apparatus and Method with Improved Temperature Control

Assistant Commissioner for Patents
Washington, D.C. 20231

RESPONSE

Sir:

This is responsive to the Office Action dated January 15, 2003.

REMARKS

Claims 1-18 are pending in the present application; however, claims ¹⁰~~1-15~~ have been withdrawn from consideration.

Claims 1-9 and 16-18 have been rejected under 35 U.S.C § 103(a) as being unpatentable over WO 98/30304 (WO '304) in view of U.S. Patent No. 5,073,012 to Lynam, and under WO '304 in view of U.S. Patent No. 5,593,823 to Wollowitz et al. Applicants traverse these rejections.

The inventors have discovered that while heating the blood or plasma in the manner described in WO '304 is advantageous, it can result in the degradation of proteins contained in the blood. In WO '304, heat is applied to container 10 at the initial stages of the process in order to raise the temperature of the blood or plasma to about 37°C prior to separation of plasma from the red blood cells, and halogen lamp 26 is preferably utilized to do so. Halogen lamp 26, however, may emit radiation in a wavelength range which will contact the blood or plasma in container 10 and potentially degrade key proteins therein. This wavelength range is from 190 to 400 nm which generally corresponds to the ultraviolet wavelength band of the electromagnetic spectrum.